

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**CRAIG CUNNINGHAM,**

**Plaintiff,**

**v.**

**ON DECK CAPITAL, INC., ENVOA  
INTERNATIONAL, INC., and  
JOHN/JANE DOES 1-5,**

**Defendants.**

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) **Case No. 1:20-cv-10621-AJN**  
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**DEFENDANTS ON DECK CAPITAL, INC. AND ENOVA INTERNATIONAL, INC.'S  
MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

Defendants On Deck Capital, Inc. and Enova International, Inc. (collectively, “Defendants”), by and through their attorneys and pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), respectfully request that the Court dismiss Plaintiff Craig Cunningham’s Complaint for lack of subject matter jurisdiction and failure to state a claim upon which relief can be granted. The reasons in support of this motion are set forth in Defendants’ Memorandum in Support, filed herewith.

DATED this 26th day of February 2021.

Respectfully submitted,

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